

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

LEO RANDOLPH,

Plaintiff,

v.

Case No. 2:06-cv-3  
HON. R. ALLAN EDGAR

UNKNOWN DECKER,

Defendant.

\_\_\_\_\_ /

**ORDER**

Plaintiff Leo Randolph made a motion for partial summary judgment under Fed. R. Civ. P. 56. [Doc. No. 43]. On March 27, 2008, Magistrate Judge Timothy P. Greeley submitted his report and recommendation [Doc. No. 58] pursuant to 28 U.S.C. § 636(b)(1)(B) and W.D. Mich. LCivR 72.1(c). It is recommended that the plaintiff's motion for partial summary judgment be denied. The parties have not timely filed any objections to the report and recommendation.

After reviewing the record, the Court **ACCEPTS and ADOPTS** the report and recommendation [Doc. No. 58] pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b), and W.D. Mich. LCivR 72.3(b). Accordingly, the plaintiff's Rule 56 motion for partial summary judgment [Doc. No. 43] is **DENIED**.

SO ORDERED.

Date: May 16, 2008.

\_\_\_\_\_  
*/s/ R. Allan Edgar*

R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE